

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MICHAEL HOWARD HUNTER,

Petitioner,

vs.

UNITED STATES OF AMERICA and
STATE OF WASHINGTON,

Respondents.

NO. CV-07-064-LRS

ORDER DISMISSING PETITION

By Order filed April 13, 2007, the court directed Petitioner to show cause within twenty (20) days why his Petition should not be dismissed. Specifically, it appeared there was an on-going state criminal proceeding in which Petitioner could assert any claim of excessive bail. Furthermore, Petitioner's contention that money is not "property," and therefore he could not be charged with robbery, was obviously meritless.

Petitioner filed a "Response" on May 15, 2007, more than eight days past the deadline for doing so. This document is not responsive to the Court's Order. Instead, Mr. Hunt indicates a Superior Court Judge found him mentally incompetent, and he has been placed in a State Hospital because he is considered "dangerous to self" Petitioner asserts this Court should appoint counsel.

Petitioner rambles on about associations with the FBI and Secret Service, and threatens to "kill all you son of bitches," until he himself is killed. Petitioner makes numerous statements that he is both suicidal and homicidal and states he has been committed for treatment.

Petitioner has presented no facts from which the court could infer he is in custody in violation of the United States Constitution. It plainly appears from Petitioner's submissions that he is not entitled to relief in this court. See Rule 4, Rules Governing Section 2254 Cases in the United States District Courts. Accordingly, **IT IS ORDERED** the petition **DISMISSED without prejudice** to Petitioner pursuing appropriate state court remedies.

IT IS SO ORDERED. The District Court Executive is directed to enter this Order, enter judgment, forward copies to Petitioner, and close the file.

DATED this 24th day of May, 2007.

s/Lonny R. Suko

LONNY R. SUKO
 UNITED STATES DISTRICT JUDGE